

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 charlesverhoeven@quinnemanuel.com

David A. Perlson (Bar No. 209502)

3 davidperlson@quinnemanuel.com

Melissa Baily (Bar No. 237649)

4 melissabaily@quinnemanuel.com

John Neukom (Bar No. 275887)

5 johnneukom@quinnemanuel.com

Jordan Jaffe (Bar No. 254886)

6 jordanjaffe@quinnemanuel.com

50 California Street, 22<sup>nd</sup> Floor

7 San Francisco, California 94111-4788

Telephone: (415) 875-6600

8 Facsimile: (415) 875-6700

9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;  
16 OTTOMOTTO LLC; OTTO TRUCKING  
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**PLAINTIFF WAYMO LLC'S  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL PORTIONS OF ITS  
MOTION FOR ORDER TO SHOW  
CAUSE WHY DEFENDANTS SHOULD  
NOT BE HELD IN CONTEMPT OF THE  
PRELIMINARY INJUNCTION ORDER  
(Dkt. 426) AND EXPEDITED  
DISCOVERY ORDER (Dkt. 61) AND  
EXHIBITS 3, 5, AND 6 THERETO**

Pursuant to Civil L.R. 7-11 and 79-5, Plaintiff Waymo LLC (“Waymo”) respectfully requests to file under seal information in its Motion for Order to Show Cause Why Defendants Should Not be Held in Contempt of the Preliminary Injunction Order (Dkt. 426) and Expedited Discovery Order (Dkt. 61) (“the Contempt Motion”) and Exhibits 3, 5, and 6 thereto, filed concurrently herewith. Specifically, Waymo requests an order granting leave to file under seal the portions of the documents as listed below:

Document	Portions to Be Filed Under Seal	Designating Party
Contempt Motion	Highlighted in Blue	Defendants
Exhibits 3, 5, and 6	Entire Documents	Defendants

### **I. LEGAL STANDARD**

Civil Local Rule 79-5 requires that a party seeking sealing “establish[] that the document, or portions thereof, are privileged, protectable as a trade secret or otherwise entitled to protection under the law” (*i.e.*, is “sealable”). Civil L.R. 79-5(b). The sealing request must also “be narrowly tailored to seek sealing only of sealable material.” *Id.*

### **II. UBER’S CONFIDENTIAL INFORMATION**

Waymo seeks to seal the portions of the Sur-Reply and supporting exhibits only because Defendants have designated the information confidential and/or highly confidential. Declaration of Patrick Schmidt (“Schmidt Decl.”) ¶ 3. Waymo expects Defendants to file one or more declarations in accordance with the Local Rules.

### **III. CONCLUSION**

In compliance with Civil Local Rule 79-5(d), redacted and unredacted versions of the above listed documents accompany this Administrative Motion. For the foregoing reasons, Waymo respectfully requests that the Court grant Waymo’s Administrative Motion.

DATED: June 21, 2017

QUINN EMANUEL URQUHART & SULLIVAN,  
LLP

By /s/ Charles K. Verhoeven

Charles K. Verhoeven

Attorneys for WAYMO LLC